

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ASHLEY SHROCK, )  
                        )  
Plaintiff,         )  
                        )  
v.                     )         1:18CV962  
                        )  
ANDREW M. SAUL,    )  
Commissioner of Social Security,<sup>1</sup>    )  
                        )  
Defendant.          )

**ORDER**

On October 2, 2019, in accordance with 28 U.S.C. § 636(b), the Recommendation of the United States Magistrate Judge was filed and served on the parties in this action, and a copy was given to the court. Within the time limitation set forth in the statute, counsel for Plaintiff objected to the Recommendation.

The court has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that the Plaintiff's motion for judgment on the pleadings, (ECF No. 12), is DENIED, that the Defendant's motion for judgment on the pleadings, (ECF No. 15), is GRANTED, that the Commissioner's decision finding no disability is AFFIRMED, and that this action is dismissed with prejudice.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This, the 29<sup>th</sup> day of October 2019.

/s/ Loretta C. Biggs  
United States District Judge

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<sup>1</sup> Andrew Saul was confirmed as the Commissioner of Social Security on June 4, 2019 and was sworn in on June 17, 2019. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Andrew Saul should be substituted for Nancy A. Berryhill as Defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 405(g) of the Social Security Act, 42 U.S.C. § 405(g).